

Shauna N. Correia, Esq.
Nevada State Bar No. 9874
Email: scorreia@weintraub.com
weintraub tobin chediak coleman grodin
Law Corporation
475 Sansome Street, Suite 510
San Francisco, California 94111
Tel: (415) 772-9655
Fax: (415) 433-3883

Michael E. Stoberski, Esq.
Nevada State Bar No. 4762
Olson, Cannon, Gormley Angulo & Stoberski
9950 W. Cheyenne Ave.
Las Vegas, NV 89129
Tel: (702) 384-4012
Email address: mstoberski@ocgas.com
Attorneys for Defendant,
Banc of America Merchant Services, LLC

Jenny L. Foley, Ph.D., Esq.
Nevada State Bar No. 9017
Email: jfoley@hkm.com
Marta D. Kurshumova, Esq.
Nevada State Bar No. 14728
Email: mkurshumova@hkm.com
HKM EMPLOYMENT ATTORNEYS LLP
1785 East Sahara, Suite 325
Las Vegas, Nevada 89104
Tel: (702) 625-3893
Fax: (702) 625-3893
Attorneys for Plaintiff
Eric Watson

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Eric Watson, an Individual

Plaintiff,

v.

Banc of America Merchant Services, LLC, a
Foreign Limited Liability Company; and Re
Corporations 1-X,

Defendants.

Case No. 2:19-cv-00783-RFB-VCF

**STIPULATION FOR EXTENSION OF
TIME TO FILE RESPONSE TO
PLAINTIFF'S COMPLAINT
(First Request)**

Complaint Filed: May 7, 2019

Pursuant to LR IA 6-2 and LR 7-1, Plaintiff and Defendant Banc of America Merchant Services, LLC ("Defendant"), by and through their respective attorneys of record, stipulate and agree as follows:

WHEREAS, Plaintiff Eric Watson filed a Complaint against Defendant Banc of America Merchant Services, LLC, on or about May 7, 2019; and

WHEREAS, the Complaint was served on Defendant on May 10, 2019 by personal service upon its agent for service of process in Charlotte, North Carolina;

WHEREAS, pursuant to Local Rule IA 6-1, the parties to an action may seek an order by stipulation to extend the time within which to respond to a pleading for good cause; and

WHEREAS, this is the first stipulation for extension of time to plead or move in response to the Complaint; and

WHEREAS, good cause exists to extend the time by which Defendant must respond by responsive pleading or motion because counsel for Defendant asserts that a fully executed copy of a written agreement between Plaintiff and Defendant bars the claims in the Complaint. Defendant asserts that the parties' agreement had the effect that (a) Plaintiff waived and released the claims asserted in the Complaint; and (b) Plaintiff agreed that the "exclusive venue" for any action or proceeding arising out of or related to the Agreement, or the breach, validity or enforceability of any provision hereof, will be Mecklenburg County, North Carolina. Defendant has provided a copy of the agreement to Plaintiff's counsel. The parties have agreed to allow Plaintiff's counsel time to investigate the matter and consider whether it is appropriate to voluntarily dismiss the Complaint.

NOW THEREFORE, the Parties hereby stipulate and agree to extend Defendant's deadline to move or plead in response to the Complaint by 30 days, to June 30, 2019. Defendant expressly does not waive, and reserves its right, to file a motion to dismiss under FRCP 12(b)(2), (3), or (6), and/or to make a motion for transfer of venue pursuant to 28 U.S.C. section 1406(a).

1 IT IS SO STIPULATED.

2
3 Dated: May 16, 2019

weintraub tobin chediak coleman grodin
LAW CORPORATION

4
5 By: /s/ Shauna N. Correia
6 Shauna N. Correia, Esq.
7 Attorneys for Defendants
8 Banc of America Merchant Services LLC

9 Dated: May 21, 2019

HKM EMPLOYMENT ATTORNEYS LLP

10
11 By: /s/ Jenny L. Foley
12 Jenny L. Foley, Ph.D., Esq.
13 Attorneys for Plaintiff
14 Eric Watson

15 **[PROPOSED] ORDER**

16 Good cause appearing therefore, Defendant's deadline to move or plead in response to the
17 Complaint shall be extended by 30 days, to June 30, 2019.

18
19 **IT IS SO ORDERED:**

20
21 By: 
22 UNITED STATES MAGISTRATE JUDGE

23
24 5-24-2019

25 DATED: _____
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of May 2019, I electronically filed and served a true and correct copy of the foregoing document **STIPULATION FOR EXTENSION OF TIME TO FILE RESPONSE TO PLAINTIFF'S COMPLAINT (First Request)** by using the CM/ECF electronic filing system. I further certify that all the participants in the case are registered CM/ECF users and that service will be accomplished by the Court's CM/ECF electronic system.

/s/ Edith Sanchez
Litigation Secretary of Weintraub Tobin Chediak Coleman Grodin